

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANDREW KRIVAK, JR.,

Plaintiff,

-against-

**DECLARATION OF
JAMES A. RANDAZZO**

Docket No.: 23-cv-6960 (KMK)

PUTNAM COUNTY; Putnam County Sheriff's Department Sheriff ROBERT THOUBBORON, in his individual capacity; Putnam County Sheriff's Department Officers HAROLD TURNER, DANIEL STEPHENS, PATRICK CASTALDO, WILLIAM QUICK, JOHN DANIEL REES, WILLIAM ASHER in their individual capacities; Putnam County District Attorneys ROBERT V. TENDY and KEVIN WRIGHT, in their individual capacities; Putnam County Assistant District Attorneys LARRY GLASSER; CHANA KRAUSS; and CHRISTOPHER YORK, in their individual capacities; District Attorney Investigator RALPH CILENTO in his individual capacity; and DENISE ROSE,

Defendants.

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JAMES A. RANDAZZO declares as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney admitted to practice before this Court and am a partner with Portale Randazzo LLP, counsel to Defendants Robert Thoubboron, Harold Turner, Daniel Stephens, Patrick Castaldo, William Quick, John Daniel Rees, and William Asher (the "PCSD Defendants") in this action.

2. I make this declaration to place before the Court certain materials in support of the PCSD Defendants' opposition to Plaintiff's motion to disqualify this firm as their counsel.

3. Exhibit "A" is a copy of Plaintiff's Complaint, filed August 8, 2023, via ECF as Document No. 1 in this action.

4. Exhibit "B" is a copy of the Notices of Appearance filed by Lewis Silverman, Esq. and Deanna Collins, Esq. as counsel to Putnam County, dated April 10, 2024.

5. Exhibit "C" is a copy of the Notice of Appearance filed by Frank Foster, Esq. of Morris Duffy Alonso & Pitcoff LLP as counsel to Robert V. Tendy, Kevin Wright, Larry Glasser, Chana Krauss, Christopher York, and Ralph Cilento (the "PCDA Defendants"), dated April 30, 2024.

6. Exhibit "D" is comprised of letters to the Court filed by counsel to Putnam County (Dkt. No. 99) and the PCDA Defendants (Dkt. No. 103).

7. Exh. "E" is an excerpt from the deposition of Patrick Castaldo in *DiPippo v. County of Putnam, et al.*, dated August 1, 2019.

8. Exh. "F" is an excerpt from the deposition of William Quick in *DiPippo v. County of Putnam, et al.*, dated July 30, 2019.

9. Exh. "G" is an excerpt from the deposition of Harold Turner in *DiPippo v. County of Putnam, et al.*, dated January 15, 2020.

10. Exh. "H" is a copy of the PCDA Defendants' memorandum of law in support of their motion to dismiss dated January 19, 2024.

11. The documents referenced above are true and correct copies of what they purport to be.

12. I declare under penalty of perjury that the foregoing is true and correct.

Dated: White Plains, New York
July 24, 2024

PORTALE RANDAZZO LLP

/s/ James A. Randazzo
 James A. Randazzo
Attorneys for Defendants Robert Thoubboron, Harold Turner, Daniel Stephens, Patrick Castaldo, William Quick, John Daniel Rees, and William Asher,
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To: Counsel of record via ECF.